

Case No. 030482

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## DECLARATION AND POWER OF ATTORNEY

Commissioner of Patents and Trademarks  
Alexandria, VA 22313

As a below named inventor, I hereby declare that:  
I believe I am the

☒ original, first and sole inventor; or

☐ an original, first and joint inventor along with the other inventors listed below, of the subject matter which is claimed and for which a patent is sought on the invention entitled "Treatment of Patients Infected By Disease Causing Organisms Or Biological Warfare Agents Using Hyperthermia"

the specification of which

☒ is attached hereto;

☐ was filed on \_\_\_\_\_ as Application  
Serial No. \_\_\_\_\_ and was amended  
through \_\_\_\_\_ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended as indicated above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

35 U.S.C. § 119 (e)

I hereby claim the benefit under 35 U.S.C. § 119 (e) of co-pending U.S. Provisional Patent Application Serial No. 60/406,478, filed August 28, 2002, entitled "Treatment of Patients Infected By Disease Causing Organisms Or Biological Warfare Agents Using Hyperthermia" having the same named applicant as inventor, namely, Martin Munzer.

Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate for the same invention having a filing date before that of the application on which priority is claimed:

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## Prior Foreign Application(s)

Priority Claimed

Country	Number	Date Filed	Attorney Docket	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Country	Number	Date Filed	Attorney Docket	<input type="checkbox"/> Yes	<input type="checkbox"/> No

## Prior United States Filing

I hereby claim the benefit under Title 35, United States Code, § 120 or § 119 (e) of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 156(a) which occurred between the filing date(s) of the prior application(s) and the national or PCT international filing date of this application:

<u>60/406,478</u>	<u>August 28, 2002</u>	<u>020581</u>	<u>Pending</u>
Appl. Ser. No.	Filing Date	Attorney Docket	Status
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And I hereby appoint Craig G. Cochenour, Reg. No. 33,666, George P. Baier, Reg. No. 26,717, Lynn J. Alstadt, Reg. No. 29362, Michael L. Dever, Reg. No. 32,216, Carla J. Vransky, Reg. No. 36,958, Michael G. Panian, Reg. No. 32,623, John E. Grosselin, III, Reg. No. 38,478, Bryan H. Opalko, Reg. No. 40,751, Dennis M. Carleton, Reg. No. 40,938, and Duane A. Stewart III, Reg. No. 54,468


respectively and individually, as my attorneys or agents with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Please address all communications to:

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I hereby declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name  
Of Sole Or  
Joint Inventor Martin Munzer  
Inventor's  
Signature 

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